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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

U.S. ORDNANCE, a Nevada corporation,

Plaintiff,

vs.

Case No.: 3:19-cv-0409-MMD-CLB

CMM TECHNOLOGY, INC., a California
corporation and DOES 1-20, inclusive,

Defendants.

**STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE**

Plaintiff, on the one hand, and Defendant, on the other hand, (individually referred to herein as a “Party” and collectively as the “Parties”), through their undersigned counsel of record for all Parties remaining in the Action, hereby stipulate as follows:

WHEREAS Parties, by and through their undersigned counsel, having settled all claims in this matter, and hereby stipulate to dismiss this matter with prejudice pursuant to FRCP 41(a)(2) and LR 7-1 of the Local Rules of Practice for the United States District Court for the District of Nevada;

WHEREAS all terms and conditions for the settlement of this matter between the Parties have been completed other than the return of the equipment at issue in the Action, which return

has been delayed by issues related to the ongoing Covid-19 Pandemic, but which return is currently anticipated to occur during the month of February 2021;

WHEREAS due to delays caused by the Covid-19 Pandemic, the Parties will need additional time estimated to be no shorter than 45 days, and no longer than 120 days, from the dismissal of the Action to effectuate the return of the equipment;

WHEREAS, as a result, the Parties have agreed to submit this Stipulation and [Proposed] Order to Dismiss the Entire Action and request that the Court retain jurisdiction to enforce the Settlement Agreement if necessary.

IT IS HEREBY STIPULATED AND AGREED by and between the Plaintiff, on the one hand, and Defendant, on the other hand, through their respective undersigned counsel, that the Court should dismiss the entire action, with prejudice, with each Party bearing their own fees and costs and requesting that the Court retain jurisdiction over this matter to enforce, as necessary, all of the terms of the Agreement.

IT IS SO STIPULATED.

DATED: January 22, 2021

DATED: January 22, 2021

/s/Richard G. Campbell, Jr.

/s/Mark J. Butler

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Attorneys for Defendant
CMM Technology, Inc.

ORDER

IT IS SO ORDERED that the above-referenced case, Case No. 3:19-cv-0409-MMD-CLB, is dismissed with prejudice, with the Court retaining jurisdiction to enforce the settlement. Each party shall bear their own fees and costs.



UNITED STATES DISTRICT JUDGE

Date: November 25, 2021.